UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/360,399	07/23/1999	PERRY A. CARO	07844/303001	4121

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EXAMINER
HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)
	09/360,399	CARO ET AL.
	Examiner	Art Unit
	Cong-Lac Huynh	2178

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

    NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-49 and 51-54*.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicants arguments are not persuasive.
Regarding independent claim 1, Applicants argue that equating the custom controls 534 to the bindings in claim 1 is an error.
Examiner respectfully disagrees.
As admitted by Applicants, Ferrel, in col 26, discloses that the content and the design (also termed layout) are brought together by the controls.   Claim 1 states that the bindings "describe a document by associating content elements with layout elements." The control of Ferrel that brings the content and the design together, therefore, discloses associating content elements and layout elements.

Regarding independent claim 12, Applicants ask the Examiner to indicate a portion of the reference that teaches the storage of the individual layout elements in a portfolio.
In reply to Applicants' request, Examiner would like to refer to the claim 12 rejection where Ferrel does not explicitly disclose the storage of the individual layout elements in a portfolio.   However, Ferrel does disclose the controls for generating documents based on the page layout and the page content (col 8, lines 30-64 and figure 8).   Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferrel to include the storage of the individual layout elements in a portfolio since the layout or the format for each page includes individual layout elements defined for each content of the page.   This suggests that the page layout as well as the individual layout elements defined and included therein be stored in a storage such as a portfolio of the system.

Regarding independent claim 40, Applicants argue that the globally unique identifier does not suggest the use of a binding to store the style sheet as recited in claim 40.
Examiner respectfully disagrees.
Ferrel discloses that a globally unique identifier GUID that can be used to identify an object with a unique string of characters where the control for controlling the link between the layout and the content of a document keeps a record of a GUID associated with its linked style sheet (col 23, lines 48-67).
As mentioned above, the bindings in the invention is considered equivalent to the controls in Ferrel, which links the layout and the content of a document to generate a document.
Ferrel discloses that the controls keeps a record of a GUID, which is the globally unique identifier, associated with its linked style sheet.
Ferrel, therefore, suggests the use of a binding to store the style sheet as argued.

Regarding independent claim 51, Applicants argue that in Ferrel's layout-centric method since the location of layout components is predetermined in the layout page, the layout is dominated by the layout components and the format is determined by the page layout with which the content is associated.   The document creation process, thus, will not include "determining whether the layout should be dominated by the layout components" as claimed.
Examiner agrees that in Ferrel's layout-centric method, the format is determined by the page layout with which the content is associated.
However, the claimed limitation states that the method comprising "determining whether the layout should be dominated by the layout components or the layout aspects of the content components."
That means determining whether or not to apply the layout domination or the content domination for the page layout.
Ferrel discloses both layout-centric and content-centric bindings.   Therefore, it is suggested to include said determining step to the document creation process to determine whether or not to apply the layout-centric method (dominated by layout components) or the content-centric method (dominated by the content components) before performing the bindings.

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